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NEWPORT NEWS, VA., SUNDAY, JUNE 23, 1907.

PRICE TWO CENTS

# JUDGE LOVING WILL BE ARRAIGNED ON MONDAY

One of the Most Famous Murder  
Cases in the History of the  
State of Virginia.

GREAT TRIAL IS ABOUT TO START

While the Public Has a Fairly Accurate Notion of the Essential Facts, It Is in Doubt as to Exactly Just Before the Shooting of Young Theodore Estes.

HOUSTON, VA., June 22.—Practically every newspaper reader in the commonwealth will look with burning curiosity towards Houston, the county seat of Halifax, next Monday, for on that day will begin one of the most famous murder trials in the criminal annals of Virginia—the case of ex-Judge William G. Loving, who stands indicted for the killing of Theodore Estes, the son of Sheriff M. K. Estes, of Nelson county. Interest in the case arises, not alone from the fact that the accused is a scion of an illustrious family and a former judge of the county court of Nelson county, but primarily because the prosecution will once more put to the test the so-called "unwritten law" in the Old Dominion.

Estes, broadly speaking, met his tragic death because of a real or fancied outrage to Miss Elizabeth Loving, the nineteen-year-old daughter of the accused.

The homicide occurred at Oak Ridge, Nelson county, Monday, April 22, 1907, and was the awful sequel of a buggy ride taken by the couple the evening before.

Estes and Miss Loving, at the request of Miss Annie Kidd, of Lovington, whom the ex-Judge's daughter was visiting, took a short drive through a populous farm section and returned to the village between seven and eight o'clock.

Brought Back in Strange Condition. The young woman, whatever happened to her while she was under the protection of her escort, was so drunk when she reached the house of Miss Sneed that she had to be assisted from the vehicle and put to bed. A physician was sent for—in fact, Estes himself volunteered to go for a doctor—but on finding one, he told him that nothing serious was the matter with the girl, as she had merely "taken too much booze."

It does not appear that the physician made a minute examination of Miss Loving, as he thought from what he had heard that the young woman was only intoxicated and not in a serious condition.

The friends of the dead man say that there was absolutely nothing about the appearance of Miss Loving to indicate that she had suffered any violence or had been subjected to any indignities.

Miss Loving's friends and family declare that she had been feeling badly before she started out with Estes, and that while on the drive she took a drink from a bottle which Estes had with him, and that immediately after that she became stupefied and helpless.

The Father Wild With Rage. When Judge Loving learned of the incident next day, he forthwith became enraged and determined to wreak vengeance on the young man. Just what was the nature of the information he acted on remains to be definitely developed in evidence.

Suffice it to say, that he hurried to Lovington in quest of Estes, and on being informed that he was at the railroad station, rode thither in great haste. One of the first questions he asked a friend whom he met at Oak Ridge was: "Did Theodore Estes take the train here?"

On being answered in the negative and hearing that Estes was in a car loading fertilizer, he proceeded to the station, which was but a few feet away and finding his victim in the car as indicated, prepared to do his deadly work.

"So you were out driving with the ladies yesterday, were you?" sardonically exclaimed the father, and thereupon he proceeded to use his double-barreled shot gun at short range.

Estes realized that his end was near when he heard the words of Judge Loving, but he had no opportunity for explanations. He was stricken down in an instant, and died a few minutes later. Before his dissolution, he managed to appeal for help, but his words were few and his agonies brief.

He Shot to Kill. Two negro men were witnesses of the homicide, and others in the hamlet saw more or less of it. After the shooting, Judge Loving made no effort to escape or to conceal his actions. In fact, almost his first words, when he saw plans afoot to help the dying man, were: "It's no use; he's dead. I shot to kill."

Shortly thereafter the ex-Judge surrendered himself to a magistrate. He

was detained as a prisoner at Oak Ridge that night and procured bail the following day.

The bail commissioner examined a few witnesses before he fixed the amount of the bond, and Judge Loving was among those who testified. He made a statement somewhat like this: "I heard that Estes took my daughter, Elizabeth, riding Sunday, and he brought her back drugged, unconscious and disgraced. I waited only until I got the full story from the girl's lips and then I took my gun and searched for him."

The witness added that when he heard the story from his daughter he was mad with indignation and started out with the avowed intention of killing Estes.

Unfortunately, the exact language of the accused was not taken stenographically at the examination for bail, so the probabilities are that the words actually used by him will never be known, though they were written down in long hand at the time.

What Did He Mean? Since the homicide many have discussed the statement of Judge Loving, but few appear to be certain whether he used the words "disgraced" or "disgraced," or whether he said anything which positively indicated that he suspected that his daughter had been the victim of rape or attempted rape.

Of course, a vast deal will depend upon the information which impelled Judge Loving to shoot—no matter whether that information was accurate or inaccurate—and still more will depend upon the testimony of Miss Loving.

This young lady, however, has never made any public statements concerning the case, nor has Judge Loving offered any further explanations since the crime. In a way, therefore, the public has not fully heard both sides of the case.

The Estes family, however, has issued a statement which, if true, in all particulars would seem to indicate that the young man was most unjustly dealt with, and that the taking of his life was little short of atrocious.

It is not denied, even by the sheriff's family, that Estes took a drink with Miss Loving while the two were driving. One witness, indeed, says that Estes went to the Oak Ridge store a few hours before his death and bought some medicine. On this occasion he said: "I drank a little too much yesterday, and I have got a headache today."

The tragedy has engendered the most bitter feeling between the friends of the Loving and Estes families, but at no time have there been any indications of contemplated violence.

A majority of the Nelson people seemingly sympathize with the Estes family and these maintain that Judge Loving acted with most reprehensible haste. They think his high-strung temper got the better of him.

From the other side—despite the sphinxlike silence of the accused—come hints that the dead man on more than one occasion had been guilty of things well calculated to enrage chivalric Virginians, and that at the proper time the accused will be able to show that he was not only excusable, but fully justified in what he did.

Estes Defended. It is hard, even at this date, to foretell what lines the defense will follow, though it would certainly seem that whatever is calculated to excuse or justify the act of Judge Loving, must tend to blacken the character of the dead man.

The policy of the Estes family, immediately after the homicide, was discreet and conservative, although as has been stated, they prepared strong statements asking the public to withhold judgment and not jump too quickly at the conclusion that Theodore had actually wronged or even insulted Miss Loving.

In this statement, which was prepared by John P. Swanson, appears the following: "Some papers have stated that Mr. Estes was a suitor of Miss Loving. This is a mistake. He had never been an admirer of Miss Loving. He had not visited there for a long time, though the relations of the families were and had been for years most cordial and friendly."

Concerning the whiskey, Mr. Swanson said: "Miss Loving had requested Estes to give her a drink, as she was feeling badly. This he did, and on her return she showed indications of being under the influence of whiskey. She was met at the buggy on her return by Miss Annie Kidd, who carried her to her room, undressed her and put her to bed. Theodore Estes went at once for Dr. Strother. He stated to the physician that she was indisposed and had a little too much whiskey. To quote his own words he said: 'There's not much the matter with her. It's only a little too much booze.'"

What the Doctor Saw. Dr. Strother at once went to the home of Mr. Kidd and found Miss Loving was under the influence of whiskey. He felt her pulse and prescribed for her. He made no other examinations and thought nothing else was the matter." Concerning

(Continued on Page Six).

# VERMOUTH CRAZED, RAN AMUCK IN CAR

Italian from Boston Shot Right and Left on In Chair Car on Transcontinental Train.

KILLED ONE, WOUNDED TWO OTHERS

Had Been Drinking Worm Wood Liquor All Day and It Made Him Imagine Things—Thought Everybody in the Car Was Trying to Rob Him—Cowardly Crew.

(By Associated Press.)  
DENVER, COLO., June 22.—In a shooting affray that occurred in a chair car of passenger train No. 5 westbound on the Chicago, Rock Island & Pacific railroad today between Dresden and Selden in western Kansas, T. B. Topp, of Minneapolis, Minn., was killed and Mrs. Morris Olsen and her sister, Mrs. Harry Blakesley, both of Ariba, Colo., were wounded. The shots were fired by John Bells, an Italian barber, en route from Boston to San Francisco, who had boarded the train at Chicago on Thursday night.

Five shots were fired in rapid succession by Bells as he walked through the aisles from the front to the rear of the car, taking aim at one passenger after another. The first shot struck Mrs. Olsen in the left side of the face, the bullet passing through the jaws. Mrs. Olsen's sister, Mrs. Harry Blakesley, sitting opposite her, was hit in the right shoulder with the second bullet. Their wounds are not fatal. Bells' third bullet passed through Topp's heart. Charles A. Gillett of Denver, and O. D. Claussen of Pueblo, Colo., closed in on Bells and wrested his revolver from his hands but not before two more shots had been fired, neither of which took effect.

Bells then drew a razor and with this he fought desperately. A negro porter, armed with a billy, finally succeeded in knocking the razor out of the Italian's hand and Bells was then seized and bound. The train crew stayed out of the car while the disturbance was in progress.

At Goodland, Kansas, Bells was removed from the train and locked up in jail.

Bells' wife said he had been drinking vermouth all day. About 8 o'clock they fell asleep at 8:30 Bells awoke and began to protest wildly that some one was trying to rob him. Then he rushed up the aisles and began shooting.

Ten Mail Carriers for Richmond  
WASHINGTON, D. C., June 22.—The assistant postmaster-general issued an order yesterday directing that ten additional carriers be put on in Richmond on July 1. This is regarded as an unusually large increase in the force, and indicates an increase in the receipts of the office.

Richard Hansford Died in Williamsburg  
WILLIAMSBURG, VA., June 22.—Richard Hansford, son of Mrs. Margaret Hansford, died this morning at her home on Palace Green. Mr. Hansford was twenty-three years old, and was well known in Norfolk where he was for several years engaged in business.

Swanson Will Not Go to Tammany.  
RICHMOND, VA., June 22.—Governor Swanson will not attend the Tammany pow-wow July 4. Today he said that in view of his other engagements he would have to decline Bourke Cochran's invitation.

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Hammer Throw, 16-pd.—Won by W. H. Daub, Princeton, distance 135 feet; second, W. F. Krueger, Swathmore, distance 115 feet, 8 in.; third, W. B. Conners, Princeton, distance 82 feet, 8 in.

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